

FACSIMILE

LADAS & PARRY
26 West 61st Street
New York, N.Y. 10023

DATE: December 18, 2002

FAX: (212) 246-8959

(212) 246-8925

PHONE: (212) 708-3401

FOR FAX VERIFICATION: (212) 708-3405

TO: Cathy Short / Phyllis Lawrence — DO/EO

FAX: (703) 305-3230

PAGES: 6 (INCLUDING THIS PAGE)

RE: U.S. National Stage Entry from PCT/IN00/00094
U.S. Serial No. 10/089020
Filed: March 25, 2002
Amarjit SINGH

Ms. Lawrence:

Thank you for your help regarding this application that has been in limbo since March 25, 2002. As I told you, we are awaiting a Notice of Mission Parts and none has been forthcoming.

I attach the International Preliminary Examination Report and trust that this will speed the processing along.

If anything further is needed, please contact me at the above telephone number.


Eleanor McCartan
U.S. Patent Administrator

PATENT COOPERATION TREATY

PCT

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

JAIN, RAJESH
PANACEA BIOTEC LTD.
B-1 Extn./A-27, Mohan Co-Operative
Industrial Estate, Mathura Road
New Delhi -110044
INDE

NOTIFICATION OF TRANSMITTAL OF
INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 71.1)

Date of mailing
(day/month/year)

04/07/2002

Applicant's or agent's file reference

PAN/CON/R/NIM

IMPORTANT NOTIFICATION

International application No.

PCT/ IN 00/ 00094

International filing date (day/month/year)

27/09/2000

Priority date (day/month/year)

28/09/1999

Applicant

PANACEA BIOTEC LIMITED et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/



European Patent Office
D-80298 Munich
Tel. (+49-89) 2399-0, Tx: 523656 epmu d
Fax: (+49-89) 2399-4465

Authorized officer

VAN DEN BROEKE M G

Tel. (+49-89) 2399 2828



PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)


Applicant's or agent's file reference PAN/CON/R/NIM	FOR FURTHER ACTION		See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/IN 00/00094	International filing date (day/month/year) 27/09/2000	Priority date (day/month/year) 28/09/1999	
International Patent Classification (IPC) or national classification and IPC A61K31/63			
Applicant PANACEA BIOTEC LIMITED et al.			

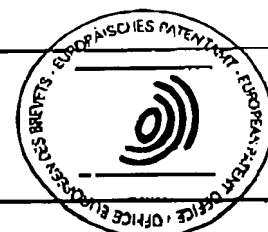
1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 2 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consists of a total of _____ sheets.

3. This report contains indications relating to the following items:
 - I ☒ Basis of the report
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 24/04/2001	Date of completion of this report 01/07/2002
Name and mailing address of the IPEA/  European Patent Office D-80298 Munich Tel. (1 49-89) 2 399-0, Tx: 523656 eptm d Fax: (1 49-89) 2 399-4465	Authorized officer FLETCHER A S Tel. (1 49-89) 2 392 2828



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No PCT/ IN 00/ 00094

I. Basis of the report

The basis of this international preliminary examination is the application as originally filed.

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability

In light of the documents cited in the international search report, it is considered that the invention as defined in at least some of the claims does not appear to meet the criteria mentioned in Article 33(1) PCT, i.e. does not appear to be novel and/or to involve an inventive step (see international search report, in particular the documents cited X and/or Y and corresponding claim references).

PATENT COOPERATION TREATY

19.09.2002

PCT

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

JAIN, RAJESH
PANACEA BIOTEC LTD.
B-1 Extn./A-27, Mohan Co-Operative
Industrial Estate, Mathura Road
New Delhi -110044
INDE

WRITTEN OPINION

(PCT Rule 66)

Applicant's or agent's file reference PAN/CON/R/NIM		Date of mailing (day/month/year) 03/04/2002
International application No. PCT/ IN 00/ 00094		REPLY DUE within 2 / 00 months/days from the above date of mailing
International filing date (day/month/year) 27/09/2000	Priority date (day/month/year) 28/09/1999	
International Patent Classification (IPC) or both national classification and IPC A61K31/63		
Applicant PANACEA BIOTEC LIMITED et al.		

1. This written opinion is the first drawn up by this International Preliminary Examining Authority.

2. This opinion contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability:
citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

3. The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3.
For the form and the language of the amendments, see Rules 66.8 and 66.9.Also For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis.
For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 28/01/2002

Name and mailing address of the IPEA/

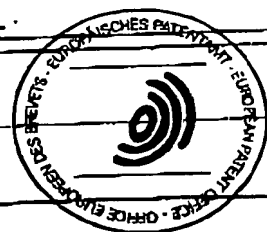


European Patent Office
D-80298 Munich
Tel. (+49-89) 2399-0, Tx: 523656 epmu d
Fax: (+49-89) 2399-4465

Authorized officer

Examiner

Formalities officer
(incl. extension of time limits)
Tel. (+49-89) 2399 2828



WRITTEN OPINION

International application No. PCT/ IN 00/ 00094

I. Basis of the opinion

1. The basis of this written opinion is the application as originally filed.

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability

1. In light of the documents cited in the international search report, it is considered that the invention as defined in at least some of the claims does not appear to meet the criteria mentioned in Article 33(1) PCT, i.e. does not appear to be novel and/or to involve an inventive step (see international search report, in particular the documents cited X and/or Y and corresponding claims references).
2. If amendments are filed, the applicant should comply with the requirements of Rule 66.8 PCT and indicate the basis of the amendments in the documents of the application as originally filed (Article 34 (2) (b) PCT) otherwise these amendments may not be taken into consideration for the establishment of the international preliminary examination report. The attention of the applicant is drawn to the fact that if the application contains an unnecessary plurality of independent claims, no examination of any of the claims will be carried out.